

Moreover, in accordance with MPEP 806.04(f), claims to be restricted to different species must be mutually exclusive. However, one skilled in the art would realize that claims combined by the Examiner in different groups are not mutually exclusive.

Independent claim 24 comprises a system for selling goods having multiple purchase obtaining facilities for enabling customers to obtain pre-ordered purchases, at least one of the purchase obtaining facilities comprises:

multiple purchase pick-up points, and

an assignment arrangement for automatically assigning a specific purchase pick-up point to a customer when the customer is identified.

Claim 25, which depends from claim 24 and which is the base claim for claims 26-28 of Group IIC, recites that the customer is provided with information identifying the specific purchase pick-up point assigned to the customer.

Claim 29 dependent from claim 24 and excluded from Group IIC recites that the purchase pick-up point is released from being assigned to the customer when the customer obtains a purchase.

It is respectfully submitted that one skilled in the art would realize that claims 25 and 29 are not mutually exclusive.

Further, claim 30 dependent from claim 24 and excluded from Group IIC recites that the customer is enabled to pass to the purchase pick-up point only after the purchase pick-up point is assigned to the customer.

It is respectfully submitted that one skilled in the art would realize that claims 25 and 30 are not mutually exclusive.

Moreover, claims 31 and 32 dependent from claim 24 and excluded from Group IIC respectively recite that the customer is identified based on data assigned to permanent customers of the system or based on ID information assigned to a purchase when the customer orders the purchase.

It is respectfully submitted that one skilled in the art would realize that claims 31 and 32 are not mutually exclusive with respect to claim 25.

Accordingly, it is not clear why the Examiner excluded dependent claims 29-32 from Group IIC.

Further, the Examiner concludes that the method and system combined in Group II relate to the same invention.

Therefore, it is not clear why the method claims 13-23 are excluded from Group IIC.

For example, independent method claim 13 recites a method of selling goods comprising the steps of:

arranging multiple purchase pick-up points for enabling customers to obtain purchases, and

automatically assigning a purchase pick-up point to a customer when the customer is identified.

As discussed above, independent system claim 24 recites the purchase obtaining facilities that comprises:

multiple purchase pick-up points, and

an assignment arrangement for automatically assigning a specific purchase pick-up point to a customer when the customer is identified.

The Examiner is respectfully requested to explain why the method claim 13 is excluded from the groups containing the system claim 24.

Moreover, claim 26 of Group IIC recites the system of claim 25, wherein a request for collecting a purchase for the customer is automatically produced simultaneously with assigning the purchase pick-up point for that customer.

Claim 17 excluded from Group IIC recites the method of claim 16, wherein a request for collecting a purchase pre-ordered by the customer is automatically generated simultaneously with assigning the purchase pick-up point to the customer.

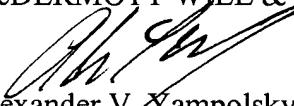
Therefore, it is unclear why claim 17 is excluded from Group IIC.

As demonstrated above, the Examiner's request for election is improper and should be withdrawn.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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